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Attorneys for Defendants  
ADVANTA MORTGAGE CORP. USA,  
ADVANTA LIFE INSURANCE COMPANY, and  
ADVANTA NATIONAL BANK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
DIVISION OF SAN FRANCISCO

CHRISTA P.C. SULLIVAN,

Plaintiff,

vs.

CHASE HOME FINANCE, LLC, CHASE  
BANK USA f/k/a CHASE MANHATTAN  
MORTGAGE CORPORATION, CHASE  
MANHATTAN BANK USA, N.A., JP  
MORGAN CHASE BANK ADVANTA  
MORTGAGE CORP. USA, ADVANTA  
NATIONAL BANK, ADVANTA LIFE  
INSURANCE COMPANY, and SWISS RE  
LIFE & HEALTH AMERICA, INC.,

Defendants.

Case No.: 09-cv-02876-SI

STIPULATION AND [PROPOSED]  
ORDER TO DISMISS ADVANTA  
MORTGAGE CORP. USA, ADVANTA  
LIFE INSURANCE COMPANY, AND  
ADVANTA NATIONAL BANK WITHOUT  
PREJUDICE

Fed. R. Civ. P 12(b)(6)

Judge: Hon. Susan Illston

Dept.: 10

Pursuant to the Federal Rules of Civil Procedure, plaintiff CHRISTA P.C. SULLIVAN ("Plaintiff"), and defendants ADVANTA MORTGAGE CORP. USA, ADVANTA LIFE INSURANCE COMPANY, and ADVANTA NATIONAL BANK (collectively, the "Advanta Entities") by and through their respective attorneys of record, agree and stipulate as follows:

1           1.       WHEREAS, on November 8, 2009, Advanta Mortgage Corp. USA ("Advanta  
2 Mortgage") filed a voluntary petition seeking bankruptcy protection under chapter 11 of the  
3 Bankruptcy Code (11 U.S.C. §101 et seq.) in the United States Bankruptcy Court for the District of  
4 Delaware.

5           2.       WHEREAS, pursuant to Bankruptcy Code section 362(a), the filing of the  
6 petition, among other things, "operates as a stay, applicable to all entities, of ... the commencement  
7 or continuation, including the issuance or employment of process, of a judicial, administrative, or  
8 other action or proceeding against the debtor that was or could have been commenced before the  
9 commencement of the case under this title, or to recover a claim against the debtor that arose before  
10 the commencement of the case under this title..." 11 U.S.C. § 362(a)(1).

11           3.       WHEREAS, the automatic stay also prohibits "any act to obtain possession of  
12 property of the estate or of property from the estate or to exercise control over property of the  
13 estate." 11 U.S.C. § 362(a)(3).

14           4.       WHEREAS, because the claims against Advanta Mortgage are automatically  
15 stayed, the Advanta Entities contend that the claims against ADVANTA LIFE INSURANCE  
16 COMPANY and ADVANTA NATIONAL BANK should be stayed as well, given the corporate  
17 affiliation among the entities and the nature of the claims against them in this action.

18           5.       NOW THEREFORE, Plaintiff and the Advanta Entities agree that  
19 ADVANTA MORTGAGE CORP. USA, ADVANTA LIFE INSURANCE COMPANY, and  
20 ADVANTA NATIONAL BANK should each be dismissed from this action immediately without  
21 prejudice.

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1 Dated: January 14, 2010

DUANE MORRIS LLP

2  
3 By: Terrance J. Evans

Peter J. Whalen  
Terrance J. Evans  
Attorneys for Defendants  
ADVANTA MORTGAGE CORP. USA,  
ADVANTA LIFE INSURANCE COMPANY and  
ADVANTA NATIONAL BANK

8 MANNION and LOWE

9  
10 By: Wesley M. Lowe

Wesley M. Lowe  
Attorneys for Christa P.C. Sullivan

13 PURSUANT TO STIPULATION, IT SO ORDERED.

14 Date: Susan Illston

15  
16 Susan Illston  
17 United States District Court Judge

18 DM1V2032987

**PROOF OF SERVICE**

*Sullivan v. Chase Home Finance, LLC*  
United States District Court, Case No. C09-02876 SI

I am a citizen of the United States, over the age of 18 years, and not a party to interested in the cause. I am an employee of Duane Morris LLP and my business address is One Market, Spear Tower, Suite 2200, San Francisco, California 94105. I am readily familiar with this firm's practices for collecting and processing correspondence for mailing with the United States Postal Service and for transmitting documents by FedEx, fax, email, messenger and other modes. On the date stated below, I served the following documents:

**STIPULATION AND [PROPOSED] ORDER TO DISMISS ADVANTA MORTGAGE CORP. USA, ADVANTA LIFE INSURANCE COMPANY, AND ADVANTA NATIONAL BANK WITHOUT PREJUDICE**

☒ BY U.S. MAIL: I enclosed the documents in a sealed envelope or package addressed to the person(s) set forth below, and placed the envelope for collection and mailing following our ordinary business practices, which are that on the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California, in a sealed envelope with postage fully prepaid..

- |    |   |   |
|----|---|---|
| 1. | Wesley Martin Lowe, Esq.<br>Edward Gerard Mannion, Esq.<br>Mannion & Lowe<br>655 Montgomery Street, Suite 1200<br>San Francisco, CA 94111 | Attorneys for Plaintiff<br><br>TEL: 415-733-1050/ FAX: 415-434-4810             |
| 2. | Alan Palmer Joacobus, Esq.<br>Carroll Burdick & McDonough, LLP<br>44 Montgomery Street, Suite 400<br>San Francisco, CA 94104              | Attorney for Swiss Reinsurance Co.<br><br>TEL: 415-989-5900 / FAX: 415-989-0932 |
| 3. | John L. Jacobus, Esq.<br>Leah M. Quadrino, Esq.<br>Steptoe & Johnson, LLP<br>1330 Connecticut Avenue, N.W.<br>Washington, DC 20036        | <br><br><br>TEL: 202-429-3000/FAX: 202-429-3902                                 |

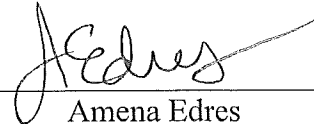
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Attorneys for Defendants Chase Home  
Finance LLC, et al.

TEL: 714-852-6800/FAX: 714-852-6899

7 I declare under penalty of perjury under the laws of the State of California that the foregoing  
8 is true and correct.

9 Dated: January 15, 2010

  
Amena Edres